

TITLE V APPLICATION REVIEW

Project #: 960666
Deemed Complete: 11/04/96

Engineer: John Lathrop
Brian Johnson

Facility Number: C-1915
Facility Name: Guardian Fabrication Incorporated
Mailing Address: 1485 East Curtis
Reedley, CA 93654-9317

Contact Name: Gary Werner
Phone: (209) 638-3588

Responsible Official: Gary Werner
Title: Plant Manager

I. PROPOSAL

Guardian Fabrication Incorporated is proposing that an initial Operating Permit be issued for its existing manufacturing plant in Reedley, CA. The purpose of this evaluation is to identify all applicable requirements, determine if the facility will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

II. FACILITY LOCATION

Guardian Fabrication Incorporated is located at 1485 East Curtis in Reedley, CA.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is shown in Attachment A. A summary of the exempt equipment categories which describe the insignificant activities or equipment at the facility not requiring a permit is shown in Attachment B. This equipment is not exempt from facility-wide requirements.

IV. GENERAL PERMIT TEMPLATE USAGE

This applicant has chosen to not use any model general permit templates.

V. SCOPE OF EPA AND PUBLIC REVIEW

The applicant has not requested to utilize any model general permit templates. Therefore, the proposed permit in its entirety is subject to EPA and public review.

VI. APPLICABLE REQUIREMENTS

District Rule 1100, Equipment Breakdown (Amended December 17, 1992)

District Rule 1160, Emission Statements (Adopted November 18, 1992)

District Rule 2010, Permits Required (Amended December 17, 1992)

District Rule 2020, Exemptions (Last amended July 21, 1994)

District Rule 2031, Transfer of Permits (Amended December 17, 1992)

District Rule 2040, Applications (Amended December 17, 1992)

District Rule 2070, Standards for Granting Applications (Amended December 17, 1992)

District Rule 2080, Conditional Approval (Amended December 17, 1992)

District Rule 2520, Federally Mandated Operating Permits, Sections 9.4, 9.5.1, 9.5.2, 9.6.1, 9.6.2, 9.8, 9.9.1, 9.9.2, 9.9.3, 9.9.4, 9.9.5, 9.10, 9.13.1, 9.14.1, 9.14.2, 9.17, and 10.0 (Adopted June 15, 1995)

District Rule 4101, Visible Emissions (Amended December 17, 1992)

District Rule 4601, Architectural Coatings (Amended December 17, 1992)

District Rule 8020, 8030, and 8060, Fugitive Dust (PM₁₀) Emissions (Amended April 25, 1996)

CFR Part 82, Subpart F, Stratospheric Ozone

CFR Part 61, Subpart M, National Emission Standard for Asbestos

District New and Modified Stationary Source Review Rule

District Rule 4661, Organic Solvents (Amended December 17, 1992)

VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as Federally Enforceable Through Title V Permit.

For this facility, condition 1 of Operating Permit C-1915-1-2 is not Federally Enforceable through Title V.

VIII. COMPLIANCE

A. Requirements Addressed by Model General Permit Templates

The applicant has chosen to not use any general permit templates; therefore, no requirements are addressed by model general permit templates.

B. Requirements Not Addressed by Model General Permit Templates

1. District Rule 1100

Sections 6.0 and 7.0 set forth breakdown procedures and reporting requirements. These requirements are addressed by conditions 1, 2, and 11 of Operating Permit C-1915-0-0. District Rule 1100 has been submitted to the EPA to replace Fresno County APCD Rule 110 which is in the SIP. District Rule 1100 is at least as stringent as the county SIP rule addressing breakdowns as is shown in the table below.

Table 1. Comparison of District Rule 1100 and Fresno County Rule 110

Requirement	SJVUAPCD	FCAPCD
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Requirement	SJVUAPCD	FCAPCD
Report breakdown occurrence as soon as reasonably possible but no later than 1 hour after detection	X	X
Obtain variance if occurrence will last longer than a production run or 24 hours whichever is shorter (96 hours for CEM systems)	X	X
Submit a report to the APCO within 10 days of the correction of the breakdown occurrence which includes the following: 1) a statement that the breakdown condition has been corrected, together with the date of correction and proof of compliance, 2) a specific statement of the reason(s) or cause(s) for the occurrence sufficient to enable the APCO to determine whether the occurrence was a breakdown condition, 3) a description of the corrective measures undertaken and/or to be undertaken to avoid such an occurrence in the future, and 4) pictures of the equipment or controls which failed if available.	X	X

2. District Rule 1160

Section 5.0 requires the owner or operator of any stationary source to provide the District with a written emission statement showing actual emissions of reactive organic gases (ROGs) and nitrogen oxides (NO_x) from that source. See condition 3 of Operating Permit C-1915-0-0.

3. District Rules 2010 and 2020

District Rule 2010 sections 3.0 and 4.0 require any person building, modifying or replacing any operation that may cause the issuance of air contaminants to apply for an Authority to Construct (ATC) from the District in advance. The ATC will remain in effect until the Permit to Operate (PTO) is granted. District Rule 2020 lists equipment which are specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions. These requirements are stated in condition 4 of Operating Permit C-1915-0-0.

District Rule 2010 has been submitted to the EPA to replace FCAPCD Rule 201 which is in the SIP. District Rule 2010 is as stringent as FCAPCD Rule 201 as is shown in the following table.

Table 2. Comparison of District Rule 2010 and Fresno County Rule 201

Requirement	SJVUAPCD	FCAPCD
Any person building or replacing equipment must apply for an Authority to Construct.	X	X
Any person altering equipment must apply for an Authority to Construct.	X	
Before operation, a Permit to Operate must be obtained.	X	X
A Permit to Operate must be posted on the equipment.	X	X
A person shall not willfully deface, alter, forge, counterfeit, or falsify a Permit to Operate.	X	X
The Authority to Construct shall serve as a temporary Permit to Operate for newly constructed or modified sources. The application for a Permit to Operate shall serve as a temporary Permit to Operate for existing sources that apply for a Permit to Operate.	X	

4. District Rules 2031, 2070 and 2080

These rules set forth requirements to comply with all conditions of the Permit to Operate. Permits to Operate or Authorities to Construct are not transferable unless a new application is filed with and approved by the District. All source operations must be constructed and operated as specified in the Authority to Construct. See conditions 5 and 6 of Operating Permit C-1915-0-0.

District Rules 2031, 2070, and 2080 have been submitted to the EPA to replace FCAPCD Rules 203.1, 207, and 208 which are in the SIP. The District Rules are as stringent as the FCAPCD Rules as is shown in Tables 3, 4, and 5.

Table3. Comparison of District Rule 2031 and Fresno County Rule 203.1

Requirement	SJVUAPCD	FCAPCD
A PTO or an ATC shall not be transferable from	X	X

Requirement	SJVUAPCD	FCAPCD
location to location or from person to person unless a new application is filed and approved by the APCO.		

Table 4. Comparison of District Rule 2070 and Fresno County Rule 207

Requirement	SJVUAPCD	FCAPCD
ATC or PTO applications shall be denied unless the applicant shows that Health and Safety Codes Section 41700, 41701, or 42301 are not violated.	X	
ATC or PTO applications shall be denied unless the applicant shows that Health and Safety Codes Section 41700 or 41701 are not violated.		X
PTO applications shall be denied unless the applicant follows the ATC.	X	X
ATC or PTO applications shall be denied unless the applicant complies with the NSR rule.	X	
ATC or PTO applications shall be denied unless the applicant will comply with both NSPS and NESHAP requirements.	X	
A person shall not operate any source operation contrary to conditions specified on the Permit to Operate.	X	

Table 5. Comparison of District Rule 2080 and Fresno County Rule 208

Requirement	SJVUAPCD	FCAPCD
The APCO may issue an ATC or PTO subject to conditions that shall be specified in writing.	X	X

5. District Rule 2040

Section 3.0 requires that every application for a permit shall be filed in a manner and form prescribed by the District. See condition 7 of Operating Permit C-1915-0-0.

District Rule 2040 has been submitted to the EPA to replace FCAPCD Rule 204 which is in the SIP. District Rule 2040 is as stringent as FCAPCD Rule 204 as is shown in the following table.

Table 6. Comparison of District Rule 2040 and Fresno County Rule 204

Requirement	SJVUAPCD	FCAPCD
Every application for a permit shall be filed in the manner and form prescribed by the APCO and shall give all the information necessary to enable the APCO to determine whether to grant or deny a permit.	X	X
The APCO shall notify the applicant in writing in the event of a denial. The applicant may deem the Permit to Operate denied if the APCO fails to act on the PTO within 60 calendar days after filing. The applicant may petition the Hearing Board in writing for a public hearing in the event of an application denial.	X	

6. District Rule 2520

Section 5.2 requires that permittees submit applications for Title V permit renewal at least six months prior to permit expiration. This requirement is included in condition 36 of Operating Permit C-1915-0-0.

Section 9.0 of District Rule 2520 requires certain elements to be contained in each Title V permit:

Section 9.4.2 requires that periodic monitoring be performed if none is associated with a given emission limit to ensure compliance. This section allows that recordkeeping requirements may be sufficient to meet these requirements. Compliance with the volatile organic compound emission limits will be demonstrated by the recordkeeping required by condition 3, 9 and 10 of Operating Permit C-1915-1-2. Section 9.5.2 requires that these records be kept for five years.

Sections 9.5.1 and 9.5.2 contains requirements to incorporate all applicable recordkeeping requirements into the Title V permit, specific records of any required monitoring, and the retention of all required monitoring data and support information for five years. The requirements to keep specific monitoring records and retain records for five years are stated in conditions 8 and 9 of Operating Permit C-1915-0-0, respectively.

Section 9.6 contains requirements for the submittal of reports of monitoring at least every six months and prompt reporting of deviations from permitting requirements, including those attributable to upset conditions. All required reports must be certified by the responsible official. These requirements are stated in conditions 10 and 11 of Operating Permit C-1915-0-0.

Section 9.8 states that the Title V permit must also contain a severability clause in case of a court challenge; the severability clause is stated in condition 12 of Operating Permit C-1915-0-0.

Section 9.9 contains requirements for provisions in the Title V permit stating that 1) the permittee must comply with all permit conditions; 2) that the permitted activity would have to be reduced to comply with the permit conditions should not be a defense in an enforcement action, 3) that the permit may be revoked, modified, reissued, or reopened for cause, 4) that the Title V permit does not reflect any property rights, and 5) that the permittee will furnish the District with any requested information to determine compliance with the conditions of the Title V permit. Compliance with these sections of Rule 2520 will be ensured by conditions 5 and 13-16 of Operating Permit C-1915-0-0.

Section 9.10 contains the requirement to provide in the permit that the permittee pay annual permit fees and applicable fees from District Rules 3010, 3030, 3050, 3080, 3090, 3110, and 3120. This requirement is stated in condition 17 of Operating Permit C-1915-0-0.

Section 9.14.1 requires any report or document submitted under a permit requirement or a request for information by the District or EPA shall contain a certification by a responsible official to truth, accuracy, and completeness. Compliance with this section will be ensured by condition 28 of Operating Permit C-1915-0-0.

Section 9.14.2 contains inspection and entry requirements that allows an authorized representative of the District to enter a permittee's premises to inspect equipment , operations, work practices, permits on file, and to sample substances or monitor parameters for the purpose of assuring compliance with the permit requirements. Compliance with this section will be ensured by conditions 18, 19, 20, and 21 of Operating Permit C-1915-0-0.

Section 9.17 requires that the permittee submit certification of compliance with the terms as standards of Title V permits to the EPA and the District annually (or more frequently as required by the applicable requirement or the District). Condition 35 of Operating Permit C-1915-0-0 ensures compliance with this requirement.

Section 10.0 Requires any application form, report or compliance certification submitted pursuant to these regulations shall contain certification of truth accuracy, and completeness by a responsible official. Compliance with this section will be ensured by condition 28 of Operating Permit C-1915-0-0.

7. District Rule 4101

Section 5.0 prohibits the discharge of any air contaminant for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart; or is of such opacity as to obscure an observer's view to a degree equal to or greater than 20% opacity. This requirement is stated in condition 22 of Operating Permit C-1915-0-0.

FCAPCD Rule 401 is replaced by District Rule 4101. The above analysis shows compliance with FCAPCD Rule 401.

8. District Rule 4601

This rule limits the emissions of VOCs from architectural coatings. It requires limiting the application of coating to no more than 250 grams of VOC/liter of coating (less water and exempt compounds). It also forbids the use of coating from the list in the Table of Standards (section 5.2) and limits the use of Specialty Coatings to a VOC content not to exceed the specified limits in Table 1 of Rule 4601.

This rule further specifies labeling requirements, coatings thinning recommendations, storage requirements and cleanup requirements. See conditions 23, 24, 25, 26, and 27 of Operating Permit C-1915-0-0.

9. District Rule 4002 - National Emissions Standards for Asbestos - 40 CFR Part 61.145, 61.150

There are applicable requirements from the National Emissions Standards for Hazardous Air Pollutants that apply to all sources in general. These requirements pertain to asbestos removal and disposal from renovated or demolished structures. Compliance is ensured for these requirements by condition 34 of Operating Permit C-1915-0-0.

10. Title VI of the CAA - Stratospheric Ozone

There are applicable requirements from Title VI of the CAA (Stratospheric Ozone) that apply to all sources in general. These requirements pertain to air conditioners, chillers and refrigerators located at a Title V source and to disposal of air conditioners or maintenance/recharging/disposal of motor vehicle air conditioners (MVAC). These requirements are addressed in conditions 29 and 30 of Operating Permit C-1915-0-0.

11. SJVUAPCD Regulation VIII - Fugitive Dust (PM10)

These regulations contain requirements for the control of fugitive dust. These requirements apply to various sources: construction, demolition, excavation, extraction, and water mining activities; outdoor storage piles; paved and unpaved roads. Compliance with these regulations will be required by conditions 31, 32, and 33 of Operating Permit C-1915-0-0.

12. District New and Modified Stationary Source Review Rule (NSR)

Permit unit C-1915-1-1 was subject to the NSR Rule at the time the applicant applied for Authority to Construct when this unit was modified. ATC C-1915-1-1 was issued by the San Joaquin Valley Unified Air Pollution Control District on November 30, 1993.

- Condition 1 from the ATC was not included as a condition of Operating Permit C-1915-1-2 because it is redundant with condition 22 of Operating Permit C-1915-0-0. Both conditions limit air contaminant discharge into the atmosphere to Ringlemann 1 or 20% opacity.
- Condition 2 from the ATC was included as condition 1 of Operating Permit C-1915-1-2. This condition is not federally enforceable because it is based on the public nuisance requirements of the California Health and Safety Code rather than a federal applicable requirement.
- Condition 3 from the ATC was not included because it is redundant with conditions 3, 6, 7, and 8 of Operating Permit C-1915-1-2. All conditions refer to District Rule 4661. Condition 3 of the ATC generically refers to District Rule 4661 while the conditions 3, 6, 7, and 8 of the Operating Permit C-1915-1-2 cite specific provisions that ensure compliance with the applicable requirements.
- Condition 4 from the ATC was included as condition 2 of Operating Permit C-1915-1-2.
- Condition 5 from the ATC was included as condition 3 of Operating Permit C-1915-1-2. This condition was amended from two years to five years so that it would ensure compliance with Section 9.5.2 of Rule 2520.
- Condition 6 from the ATC was included as condition 4 of Operating Permit C-1915-1-2.
- Condition 7 from the ATC was included as condition 5 of Operating Permit C-1915-1-2.

13. District Rule 4661

The applicant proposed to comply with District Rule 4661 as a federal requirement. District Rule 4661 has replaced FCAPCD Rules 409 and 409.2 which are in the SIP. The District Rules are as stringent as the FCAPCD Rules as is shown in the following table; therefore, compliance with District Rule 4661 will ensure compliance with the SIP approved county rule.

Table 7. Comparison of District Rule 4661 and Fresno County Rule 409 and 409.2

Requirement	SJVUAPCD	FCAPCD
Solvents subjected to heat shall not be emitted in quantities exceeding 15 pounds per day unless the emissions are reduced by 85 percent.	X	X

Requirement	SJVUAPCD	FCAPCD
Photochemically reactive solvents shall not be emitted in quantities exceeding 40 pounds per day unless the emissions are reduced by 85 percent.	X	X
Nonphotochemically reactive solvents shall not be emitted in quantities exceeding 3000 pounds per day unless the emissions are reduced by 85 percent.	X	X
Emissions of organic materials to the atmosphere from cleanup activities with photochemically reactive solvents shall be included with other emissions.	X	X
Reduction of emissions shall be by incineration, adsorption, or by processing in a manner determined by the APCO to be not less effective than the previously mentioned methods.	X	X
A person using air pollution control equipment shall monitor operating conditions necessary to determine the degree and effectiveness of that equipment.	X	X
Any person using organic solvents shall supply the APCO with written evidence of the chemical composition, physical properties, and amount consumed of each organic solvent used.	X	X
A person shall not dispose of more than one 1.5 gallons of any photochemically reactive solvent by any means which will permit the evaporation of such solvent into the atmosphere.	X	X
Emissions of organic materials to the atmosphere as a result of spontaneous drying of products for the first 12 hours after their removal from any source operation shall be include with other emissions of organic materials from that source.	X	

Section 5.1 limits the emission of volatile organic compounds (VOC) to 15 pounds per day from any uncontrolled source that is baked. Compliance with this section is ensured by condition 6 of Operating Permit C-1915-1-2.

Section 5.2 limits the emission of photochemically reactive solvents to 40 pounds per day from any uncontrolled source. Compliance with

this section is ensured by condition 7 of Operating Permit C-1915-1-2.

Section 5.3 contains an organic material emission limit that is less strict than condition 5 of Operating Permit C-1915-1-2.

Section 5.4 requires that emissions of photochemically reactive solvents from cleanup activities be included with other emissions in order to determine compliance with Rule 4661. Compliance with this section is ensured by condition 7 of Operating Permit C-1915-1-2.

Section 5.5 requires that emissions of organic materials as a result of spontaneous drying be included with other emissions from the source operation. Guardian calculates emissions from the amount of organic material used at the plant. No condition will be necessary to ensure compliance with this requirement.

Section 5.6 and 5.7 do not apply to Guardian because they apply only to facilities that use control equipment.

Section 5.8 requires that the composition, properties, and amount of solvents used be reported to the APCO upon request. Compliance with this requirement is ensured by condition 3 of Operating Permit C-1915-1-2.

Section 5.9.5 requires that a person shall not dispose of more than 1.5 gallons of photochemically reactive solvent by any means which will permit the evaporation of such solvent into the atmosphere. Condition 8 of Operating Permit C-1915-1-2 ensures compliance with this requirement.

IX. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Title V permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

Guardian Fabrication Incorporated has not requested a permit shield.

X. PERMIT CONDITIONS

See draft permits beginning on the next page.

EPA COMMENTS / DISTRICT RESPONSE

The EPA's comment regarding the proposed Title V Operating Permit for Guardian Fabrication Inc. (District facility C-1915) is encapsulated below followed by the District's response. A copy of the EPA's 9/19/97 letter is available at the District.

OBJECTION ISSUES

1. EPA COMMENT

The District did not include as a permit condition the applicable emission limit from Rule 4661. The source must either comply with a 40 lb/day limit, or if a permit condition is added to restrict the use of photochemically reactive solvents, a limit of 3000 lbs/day. In either case, recordkeeping requirements associated with the use of such solvents must also be added to the permit.

DISTRICT RESPONSE

As indicated in the engineering evaluation, conditions 3, 6, 7, and 8 demonstrate compliance with all of the applicable requirements of the rule. However, in the revised permit, an additional condition has been added to allow the facility an alternative method to show compliance by limiting the use of non-photochemically reactive solvents to less than 3000 lbs/day.

2. EPA COMMENT

We understand that District staff are evaluating the applicability of Rule 409, which requires that emission units emitting over 40 pounds per day of any organic materials reduce these emissions by 85%. The final Title V permit must ensure compliance with Rule 409 unless the District's revise permit analysis demonstrates that this requirement does not apply.

DISTRICT RESPONSE

See District response to EPA Comment #1.